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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of )

Toll Free Service Access Codes )

CC Docket No. 95-155

MAY 20 1997

COMMENTS

Sprint Communications Company, L.P. hereby respectfully submits its comments in the above-captioned proceeding in response to the Further Notice of Proposed Rulemaking ("FNPRM") released April 11, 1997 (FCC 97-123). In this FNPRM, the Commission seeks comment on a number of issues relating to the selection of a neutral third party to administer the toll free database.

Sprint agrees with the Commission (para. 102) that numbering resources are critical to the development of competition in local and toll markets, and that review of the toll free database administrative functions is therefore warranted "to determine if numbering administration is facilitating competition for telecommunications services." Neutral management of the toll free resource is obviously of critical importance; however, any effort to ensure neutrality should focus not only on the entity which administers the database, but also on the entity which provides direction to the administrator and makes strategic decisions about matters such as enhancements to the toll free database. As discussed below, Sprint does not object to allowing DSMI to continue to serve as the toll free database administrator, at least until a permanent administrator is chosen. However, in order to ensure neutrality in the administration of the toll free resource, the current SMS Management Team (SMT), a group composed entirely of RBOC

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representatives, should be replaced with a Board of Directors with balanced industry representation to oversee the administrator's operations and to provide overall management of the toll free database.

### **1. The Database Administrator**

Assuming that the RBOCs proceed with their plans to divest Bellcore to an entity not affiliated with any telecommunications service provider or telecommunications industry segment, Sprint has no objection to allowing DSMI to continue to serve as the toll free database administrator, at least until such time as a permanent administrator is chosen. Sprint believes that DSMI's performance to date has been satisfactory. Moreover, given the time, training, and expense associated with choosing another interim administrator, it makes little sense to replace DSMI unless and until a new permanent administrator is chosen.

The Commission has sought comment on whether the same entity which is ultimately chosen as the NANP or number portability administrator should also serve as the toll free database administrator (para. 103). Sprint believes that it is not necessary to have a single administrator manage all of these functions. There would seem to be no overriding technical or administrative reason to consolidate the toll free and number portability databases; to the contrary, such a consolidation would be cumbersome and costly given the special requirements (*e.g.*, aging requirements) and special categorizations (working, spare, reserved, etc.) associated with toll free numbers. Furthermore, issues of concern to users of toll free numbers do not necessarily apply to the same degree to users of POTS numbers (*e.g.*, hoarding, bartering, warehousing, roll-out of new toll free codes), and interpretation of applicable industry agreements and governmental regulations requires specialized knowledge on the part of the toll free database administrator. Under these conditions, there would appear to be no economies of scope or scale which

would warrant a single administrator. Thus, while it is possible that a single administrator may be chosen for both the LNP and toll free databases, such an outcome should not be mandated.

The Commission has also sought comment on what role, if any, the NANC should have in determining what entity should assume the responsibility of toll free database administration (para. 103). Sprint does not object to referring the selection of a permanent toll free database administrator to the NANC, since the NANC now has experience reviewing and selecting a neutral party to administer other numbering resources (the NANP and local number portability databases). Should the NANC decide to select a permanent administrator for the toll free database through competitive bidding, Sprint recommends that factors other than price be given substantial weight. Because proper administration of toll free numbers involves specialized knowledge and familiarity with the toll free marketplace, experience and technical expertise are entitled to substantial weight.

Sprint suggests that the toll free database administrator should have overall operational responsibility for the database; file the SMS tariff; provide whatever toll free usage reports are required by the Commission; and assess and collect the fees associated with use of the database. The administrator should not be responsible for network planning of future toll free codes. Such planning involves ensuring hardware-to-hardware compatibility and interoperability testing, and is more appropriately handled by an industry forum such as the INC or ICCF.

## **2. The Database Management Group/Board of Directors**

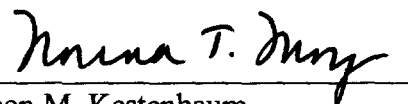
Today, the SMT, which is composed solely of RBOC representatives, unilaterally decides issues relating to management of a resource -- the toll free database -- which is critical to the provision of toll free service. As Congress and the Commission have recognized, it is inap-

propriate for one segment of the industry to control key numbering resources.<sup>1</sup> The SMT should therefore be replaced with a management group/board of directors which is more representative of users of the toll free database. This board of directors must include IXC representatives (IXCs, the largest providers of toll free service, account for the majority of database usage), as well as SCP owner/operators (both BOC and non-BOC). Because this new management group requires specific technical knowledge relating to the operation of the toll free database and user needs, and will be active in the management of the toll free resource, it would be inappropriate for the NANC to serve as the new board of directors.

In Sprint's view, this new board would be responsible for overseeing the day-to-day administration of the toll free database, as well as evaluating, prioritizing and authorizing requests for upgrades to the toll free database. Sprint anticipates that members of the new board of directors will be actively involved in the various industry fora which address toll free issues.

Respectfully submitted,

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<sup>1</sup> See, e.g., Section 251(e)(1) of the Act ("The Commission shall create or designate one or more impartial entities to administer telecommunications numbering and to make such numbers available on an equitable basis"); *Administration of the North American Numbering Plan*, 11 FCC Rcd 2588 (1995) (mandating transfer of NANP administration to a neutral entity).

## CERTIFICATE OF SERVICE

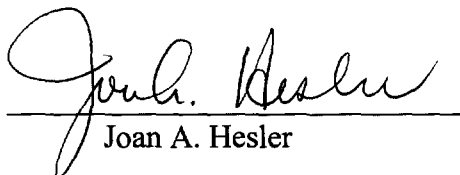
I hereby certify that a copy of the foregoing **Comments of Sprint Communications Co. LP** was Hand Delivered or sent by United States first-class mail, postage prepaid, on this the 22nd day of May, 1997 to the below-listed parties:

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